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U.S. District Court
Eastern District of Virginia - (Newport News)
CRIMINAL DOCKET FOR CASE #: 4:15-cr-00089-AWA-LRL-1

Case title: USA v. Smith

Date Filed: 11/18/2015

Date Terminated: 05/27/2016

Assigned to: District Judge Arenda L.
Wright Allen
Referred to: Magistrate Judge Lawrence R.
Leonard

Defendant (1)**Joseph Smith, III***TERMINATED: 05/27/2016*

represented by **Andrew William Grindrod**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender

Pending Counts

T. 18, USC 922(g)(1) and 924(a)(2) -
Felon in Possession of a Firearm and
Ammunition\T. 18, USC 924(d)(1) by T.
28, USC 2461(c) - Criminal Forfeiture
(1)

Disposition

IMPRISONMENT: FIFTEEN (15)
MONTHS; SUPERVISED RELEASE:
THREE (3) YEARS; SPECIAL
ASSESSMENT: \$100.00

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

None

Disposition

Plaintiff

USA

represented by **Conor Mulroe**
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LEAD ATTORNEY
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/18/2015	1	CRIMINAL INDICTMENT FILED IN OPEN COURT 11/18/15, as to Joseph Smith, III (1) count(s) 1. On motion of the Government, the Court DIRECTED a warrant to be issued. (ecav,) (Additional attachment(s) added on 11/19/2015: # 1 Deft. Info Sheet) (ecav,). (Entered: 11/18/2015)
11/18/2015	4	Arrest Warrant Issued and delivered to USM as directed by Magistrate Judge Robert J. Krask, as to Joseph Smith, III. (ecav,) (Entered: 11/18/2015)
12/22/2015		Set Hearings as to Joseph Smith, III: Initial Appearance set for 12/22/2015 at 02:00 PM in Norfolk Mag Courtroom 2 before Magistrate Judge Douglas E. Miller. (lwoo) (Entered: 12/22/2015)
12/22/2015		Arrest of Joseph Smith, III (ecav,) (Entered: 12/22/2015)
12/22/2015	5	Minute Entry for proceedings held before Magistrate Judge Douglas E. Miller: Initial Appearance as to Joseph Smith, III held on 12/22/2015. Appearances: AUSA Kevin Hudson, present, for the Government; deft. present, in custody. Deft. advised of rights, charges and right to counsel; counsel desired; Court DIRECTED appointment of counsel; Govt. motion for detention; TEMPORARY DETENTION ORDERED. Set/Reset Hearings as to Joseph Smith, III: Detention Hearing set for 12/28/2015 at 02:00 PM in Norfolk Mag Courtroom 2 before Magistrate Judge Robert J. Krask. Deft. remanded to custody of USM.(Court Reporter FTR.)(ecav,) (Entered: 12/23/2015)
12/22/2015	6	Arrest Warrant Returned Executed on 12/22/15 and filed in open court 12/22/15, as to Joseph Smith, III. (ecav,) (Entered: 12/23/2015)
12/22/2015	7	CJA 23 Financial Affidavit filed in open court, as to Joseph Smith, III. (ecav,) (Entered: 12/23/2015)
12/22/2015	8	Temporary Detention Order entered and filed in open court 12/22/15, as to Joseph Smith, III. (Signed by Magistrate Judge Douglas E. Miller on 12/22/15). (ecav,) (Entered: 12/23/2015)
12/28/2015	9	Minute Entry for Arraignment and Detention Hearing as to Joseph Smith, III held 12/28/15 before Magistrate Judge Robert J. Krask. Defendant present, in custody. Defendant waives detention hearing. Arraignment held. Defendant waived formal arraignment, entered plea of not guilty, wishes to appear at preliminary hearings and demands trial by jury. Preliminary motions deadline 1/11/16. Jury Trial set for 3/1/2016 at 10:00 AM in Newport News Courtroom 1 before District Judge Arenda L. Wright Allen. Defendant remanded. Appearances: AUSA Kevin Hudson for the Government, AFDK Kirsten Kmet for defendant. (Court Reporter FTR.)(lwoo) (Entered: 12/28/2015)
12/28/2015	10	Agreed Discovery Order as to Joseph Smith, III. Signed by Magistrate Judge Robert J. Krask on 12/28/15. (lwoo) (Entered: 12/28/2015)

12/29/2015	11	ORDER OF DETENTION entered and filed 12/29/15, as to Joseph Smith, III. (Signed by Magistrate Judge Robert J. Krask on 12/29/15). (ecav,) (Entered: 12/29/2015)
01/07/2016	12	NOTICE OF ATTORNEY APPEARANCE Jeremy R. Jehangiri appearing for USA. (Jehangiri, Jeremy) (Entered: 01/07/2016)
01/11/2016	13	MOTION to Suppress by Joseph Smith, III. (Grindrod, Andrew) Modified on 2/10/2016 to terminate motion. Notice of Withdrawal of Motion filed ECF 16 (tbro). (Entered: 01/11/2016)
01/19/2016	14	RESPONSE in Opposition by USA as to Joseph Smith, III re 13 MOTION to Suppress (Jehangiri, Jeremy) (Entered: 01/19/2016)
01/29/2016		Motion Hearing 13 MOTION to Suppress set for 2/12/2016 at 11:00 AM in Norfolk Courtroom 3 before District Judge Arenda L. Wright Allen. (lhow) (Entered: 01/29/2016)
02/02/2016	15	2 Blank Subpoenas issued on behalf of defendant, Joseph Smith, III (afar) (Entered: 02/03/2016)
02/10/2016	16	NOTICE of Withdrawal of Motion by Joseph Smith, III re 13 MOTION to Suppress (Grindrod, Andrew) (Entered: 02/10/2016)
02/10/2016		Set Hearings as to Joseph Smith, III: Plea Agreement Hearing set for 2/11/2016 at 02:00 PM in Newport News Courtroom 2 before Magistrate Judge Lawrence R. Leonard. (cdod,) (Entered: 02/10/2016)
02/11/2016	17	ORDER authorizing a United States Magistrate Judge to conduct guilty plea proceedings. Signed by District Judge Arenda L. Wright Allen and filed on 2/11/16. (tbro) (Entered: 02/12/2016)
02/11/2016	18	Consent - Waiver of Right to Rule 11 before a US District Judge by Joseph Smith, III (lhow) (Entered: 02/12/2016)
02/11/2016	19	Plea Agreement Hearing held before Magistrate Judge Lawrence R. Leonard on 2/11/2016: Jeremy Jehangiri present on behalf of the government; Andrew Grindrod present on behalf of the defendant; Defendant present and in custody; Defendant sworn; Court explained to the defendant that by pleading guilty he waived his right to appeal; Plea entered by Joseph Smith III (1) Guilty: Count 1. Sentencing set for 5/19/2016 at 11:00 AM in Norfolk Courtroom 2 before District Judge Arenda L. Wright Allen. Defendant remanded to the custody of the USM.(Court Reporter Heidi Jeffries.)(lhow) (Entered: 02/12/2016)
02/11/2016	20	PLEA AGREEMENT as to Joseph Smith, III filed in open court. (lhow) (Entered: 02/12/2016)
02/11/2016	21	Statement of Facts as to Joseph Smith, III filed in open court. (lhow) (Entered: 02/12/2016)
02/11/2016	22	Order Accepting Plea of Guilty as to Joseph Smith, III. Signed by Magistrate Judge Lawrence R. Leonard and filed on 2/11/16. (lhow) (Entered: 02/12/2016)
02/11/2016	23	Sentencing Procedures Order as to Joseph Smith, III. Signed by Magistrate Judge Lawrence R. Leonard and filed on 2/11/16. (lhow) (Entered: 02/12/2016)
02/16/2016	24	Consent ORDER OF FORFEITURE as to Joseph Smith, III. Signed by District Judge Arenda L. Wright Allen on 2/16/2016. (bgra) (Entered: 02/16/2016)

02/29/2016	25	NOTICE OF ATTORNEY APPEARANCE Matthew K Hoff appearing for USA. (Hoff, Matthew) (Entered: 02/29/2016)
03/16/2016		Reset (location change) sentencing as to Joseph Smith, III for 5/19/2016 at 11:00 AM in Norfolk Courtroom 3 before District Judge Arenda L. Wright Allen. (lhow) (Entered: 03/16/2016)
04/05/2016	26	PRESENTENCE INVESTIGATION REPORT (Disclosed Presentence Investigation Report) (SEALED - government and defense counsel) as to Joseph Smith, III. Objections to PSI due 04/21/2016. (jones, marycarol) (Entered: 04/05/2016)
05/04/2016	27	PRESENTENCE INVESTIGATION REPORT (Sentencing Presentence Investigation Report) (SEALED - government and defense counsel) as to Joseph Smith, III. (jones, marycarol) (Entered: 05/04/2016)
05/06/2016	29	NOTICE of Publication and Finality of Consent Order of Forfeiture by Joseph Smith, III re 24 Consent Order for Forfeiture of Property (Attachments: # 1 Exhibit Declaration of Publication)(Hudson, Kevin) (Entered: 05/06/2016)
05/12/2016	30	Position on Sentencing by USA as to Joseph Smith, III (Hoff, Matthew) (Entered: 05/12/2016)
05/12/2016	31	Position on Sentencing by Joseph Smith, III (Attachments: # 1 Exhibit 1 - Statement of Joseph Smith, III (Defendant), # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5 -, # 6 Exhibit 6, # 7 Letter from Kerri Thurman, # 8 Letter from Sonya Levasseur, # 9 Letter from Kim Smith, # 10 Letter from Charvesse Miller, # 11 Letter from Hamaji Miller, # 12 Letter from Joseph Smith, Jr., # 13 Letter from Tajh Smith, # 14 Letter from Merv Hyndman, # 15 Letter from Linda Davis, # 16 Letter from Tracey Bowser, # 17 Letter from Katie Gilbert)(Grindrod, Andrew) (Entered: 05/12/2016)
05/19/2016	32	Sentencing held before District Judge Arenda L. Wright Allen on 5/19/2016: Matthew Hoff present on behalf of the government; Andrew Grindrod present on behalf of the defendant; Defendant present and in custody; Defendant sworn; Arguments of counsel heard. Joseph Smith, III (1), Count 1, IMPRISONMENT: FIFTEEN (15) MONTHS; SUPERVISED RELEASE: THREE (3) YEARS; SPECIAL ASSESSMENT: \$100.00. Defendant remanded to the custody of the USM (Court Reporter Jody Stewart.)(lhow) (Entered: 05/19/2016)
05/27/2016	33	JUDGMENT as to Joseph Smith, III (1), Count 1: IMPRISONMENT: FIFTEEN (15) MONTHS; SUPERVISED RELEASE: THREE (3) YEARS; SPECIAL ASSESSMENT: \$100.00. The defendant is remanded to the custody of the United States Marshal. Signed by District Judge Arenda L. Wright Allen on 5/26/16 and filed 5/27/16. Copies distributed to all parties 5/27/16. (ldab,) (Entered: 05/27/2016)
05/27/2016	34	Sealed Statement of Reasons as to Joseph Smith, III. Signed by District Judge Arenda L. Wright Allen on 5/26/16 and filed 5/27/16. (ldab,) (Entered: 05/27/2016)
09/11/2017	35	Waiver of Hearing to modify conditions of probation/supervised release, entered and filed 9/11/17, as to Joseph Smith, III. (Signed by District Judge Arenda L. Wright Allen on 9/11/17). Copies provided 9/11/17. (ecav,) (Entered: 09/11/2017)
12/04/2017	36	Waiver of Hearing to modify conditions of probation/supervised release, entered and filed 12/4/17, as to Joseph Smith, III. (Signed by District Judge Arenda L. Wright Allen on 12/4/17). Copies provided 12/4/17. (ecav,) (Entered: 12/04/2017)

04/18/2018	37	Petition and Order on Supervised Release as to Joseph Smith, III directing a Warrant to be issued. Signed by District Judge Arenda L. Wright Allen on 04/17/18. (jjon) (Entered: 04/18/2018)
04/18/2018	38	Arrest Warrant Issued by District Judge Arenda L. Wright Allen and delivered to USM in case as to Joseph Smith, III. (jjon) (Entered: 04/18/2018)
04/18/2018	40	NOTICE OF ATTORNEY APPEARANCE Dee Mullarkey Sterling appearing for USA. (Sterling, Dee) (Entered: 04/18/2018)
09/04/2019	41	Addendum to Petition on Supervised Release as to Joseph Smith, III. Signed by District Judge Arenda L. Wright Allen on 9/3/2019. (dcou,) (Entered: 09/04/2019)